

KEVIN G. HORBATIUK (KGH-4977)  
RUSSO, KEANE & TONER, LLP  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING CO., INC.**  
26 Broadway - 28th Floor  
New York, New York 10004  
(212) 482-0001

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
**IN RE COMBINED WORLD TRADE CENTER  
AND LOWER MANHATTAN DISASTER SITE  
LITIGATION**  
-----X

**21 MC 102 (AKH)**

**GUELMAR RENDON,**

**DOCKET NO:  
07 CV4510**

**Plaintiff,**

**-against-**

**100 CHURCH, LLC, 120 BROADWAY  
CONDOMINIUM (CONDO #871), 120  
BROADWAY HOLDING, LLC, 120  
BROADWAY PROPERTIES, LLC, 120  
BROADWAY, LLC, 120 LIBERTY STREET  
LLC, 45 WALL STREET, LLC, 715 REALTY  
CORP., AMBIENT GROUP, INC., AMG  
REALTY PARTNERS, L.P., BANKERS  
TRUST COMPANY, BANKERS TRUST CORP.,  
BANKERS TRUST NEW YORK CORPORATION,  
BATTERY PARK CITY AUTHORITY,  
BLACKMON-MOORING-STEAMATIC  
CATASTROPHE, INC. D/B/A BMS CAT, BOARD  
OF EDUCATION OF THE CITY OF NEW YORK,  
BOARD OF MANAGERS OF THE 120 BROADWAY  
CONDOMINIUM (CONDO #871), BROOKFIELD  
FINANCIAL PROPERTIES, INC., BROOKFIELD  
FINANCIAL PROPERTIES, LP, BROOKFIELD  
PARTNERS, LP, BROOKFIELD PROPERTIES  
CORPORATION, BROOKFIELD PROPERTIES  
HOLDINGS INC., CITIBANK, NA, CUNNINGHAM  
DEPARTMENT OF BUSINESS SERVICES,  
DEUTSCHE BANK TRUST COMPANY AMERICAS,  
DEUTSCHE BANK TRUST CORPORATION,**

**NOTICE OF  
ADOPTION OF  
ANSWER TO  
MASTER COMPLAINT**

KEVIN G. HORBATIUK (KGH-4977)  
RUSSO, KEANE & TONER, LLP  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
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BATTERY PARK CITY AUTHORITY,  
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OF EDUCATION OF THE CITY OF NEW YORK,  
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FINANCIAL PROPERTIES, INC., BROOKFIELD  
FINANCIAL PROPERTIES, LP, BROOKFIELD  
PARTNERS, LP, BROOKFIELD PROPERTIES  
CORPORATION, BROOKFIELD PROPERTIES  
HOLDINGS INC., CITIBANK, NA, CUNNINGHAM  
DEPARTMENT OF BUSINESS SERVICES,  
DEUTSCHE BANK TRUST COMPANY AMERICAS,  
DEUTSCHE BANK TRUST CORPORATION,**

**NOTICE OF  
ADOPTION OF  
ANSWER TO  
MASTER COMPLAINT**

**GPS ENVIRONMENTAL CONSULTANTS, INC.,  
HILLMAN ENVIRONMENTAL GROUP, LLC.,  
INDOOR AIR PROFESSIONALS, INC., INDOOR  
ENVIRONMENTAL TECHNOLOGY, INC.,  
JONES LANG LASALLE AMERICAS, INC.,  
JONES LANG LASALLE SERVICES, INC.,  
LAW ENGINEERING, P.C., MERRILL LYNCH  
& CO, INC., NEW YORK CITY SCHOOL  
AUTHORITY, NEW YORK UNIVERSITY,  
ROYAL AND SUNALLIANCE INSURANCE  
GROUP, PLC, SILVERSTEIN PROPERTIES, INC.,  
THAMES REALTY CO., TISHMAN INTERIORS  
CORPORATION, TRC ENGINEERS, INC., TRIBECA  
LANDING, LLC., TRIO ASBESTOS REMOVAL,  
TUCKER ANTHONY, INC., US GOVERNMENT,  
VERIZON NEW YORK, INC., WFP TOWER A  
CO., WFP TOWER A CO., G.P., WFP TOWER  
A CO., LP., and ZAR REALTY MANAGEMENT  
CORP., ET AL**

**Defendants.**

.....X  
PLEASE TAKE NOTICE, that defendant CUNNINGHAM DUCT WORK s/h/i/a  
CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO,  
KEANE & TONER, LLP, as for its Response to the allegations set forth in the Complaint by  
Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced  
action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in  
the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC  
102(AKH).

**WHEREFORE**, the defendant, CUNNINGHAM demands judgment dismissing the above  
captioned caption action as against it, together with its costs and disbursements and for such other

and further relief as this Court deems just and proper.

Dated: New York, New York  
January 14, 2008

Kevin G. Horbatiuk  
Kevin G. Horbatiuk (KGH4977)  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING**  
**CO., INC.**  
RUSSO, KEANE & TONER, LLP  
26 Broadway, 28th Floor  
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(212) 482-0001  
RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,  
WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
Attorney for Plaintiff  
**GUELMAR RENDON**  
115 Broadway - 12th Floor  
New York, New York 10006  
(212) 267-3700

**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 14th day of January, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,  
WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
Attorney for Plaintiff  
**GUELMAR RENDON**  
115 Broadway 12th Floor  
New York, New York 10006

A handwritten signature in black ink, reading "Kevin G. Horbatiuk". The signature is written in a cursive style with a horizontal line underneath.

KEVIN G. HORBATIUK